REMARKS

The foregoing amendment does not include the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated March 9, 2005 has been received and considered by the Applicants. Claims 1-26 are pending in the present application for invention. Claims 1-26 are rejected by the May 7, 2004 Office Action.

The Office Action objects to Claims 3 and 12. The subject matter that led to these objections has been corrected by the foregoing amendment.

The Office Action rejects Claims 3 and 6 under the provisions of 35 U.S.C. §112 due to the term "the encoded control signal" lacking sufficient antecedent basis. The rejection has been obviated by the foregoing amendment to the claims that tailors the term "the encoded control signal" to the term —the RF encoded control signal—and provides proper antecedent basis for that term.

The Office Action rejects Claims 1-12 and 17-26 under the provisions of 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,457, 811 issued to Lemson (hereinafter referred to as Lemson).

The Examiner states that <u>Lemson</u> discloses the subject matter of the rejected claims. Therefore, the independent claims have been amended to clearly define subject matter for the amplifier within the transmitter section is adapted to receive the control signal from the RF level sensor. This subject matter is not disclosed or suggested by <u>Lemson</u>. Therefore, the Applicants, respectfully, submit that this rejection is moot in view of the above discussed amendment to the claims.

The Office Action rejects Claims 13-16 under the provisions of 35 U.S.C. §103(a) as being obvious in view of U.S. Patent No. 5,457, 811 issued to Lemson (hereinafter referred to as Lemson). The Applicants, respectfully, submit that this rejection is moot in view of the above discussed amendment to the independent claims. The independent claims have been amended to clearly define subject matter for the amplifier within the transmitter section is adapted to receive the control signal from the RF level sensor. This subject matter is not disclosed or suggested by Lemson.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

James D. Leimbach, Reg. 34,374 Patent Attorney (585) 381-9983

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being transmitted on this date vin facsimile transmission to (703) 872-9306 AND addressed to: COMMISSIONER OF PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Date of Transmission: June 9, 2005

(Signature)